

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

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PROMEGA CORPORATION, ET AL.

Plaintiffs,

vs.

LIFE TECHNOLOGIES CORPORATION,  
APPLIED BIOSYSTEMS, LLC, and  
INVITROGEN IP HOLDINGS, INC.,

Defendants.

Civil Action No. 10-CV-281

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**Joint Motion and Stipulation to Allow Certain Discovery After December 15, 2011**

Now Come the parties and jointly stipulate and request that certain discovery set forth below be allowed to occur after the December 15, 2011 discovery cutoff date as follows:

The parties have and continue to diligently conduct discovery in this matter. In response to the November 10, 2011 Order granting Promega's Motion to Compel the taking of depositions and the Court's Opinion and Order of November 29, 2011 on Summary Judgment, the parties have conferred and attempted to schedule all depositions prior to the December 15, 2011 discovery cutoff date. All party and third depositions had been scheduled, however due to conflicting schedules and witness' availability, the parties have agreed to take 4 depositions, all but one relating to damages, after December 15<sup>th</sup> as follows:

Philip Czar – December 16, 2011

30(b)(6) Damage Deposition of Defendants – January 3, 2012, or as soon thereafter as reasonably practicable.

John Beyer – Promega Damage Expert – January 11, 2012

Jonathon Tomlin – Defendants' Damage Expert – January 19, 2012

WHEREFORE, We respectfully request the Court enter an Order granting this stipulation

1. The Court grant leave for the parties to take the depositions set forth in this Stipulation following December 15, 2011.

WHEREFORE, the parties stipulate that this date is acceptable and hereby jointly request that the schedule of this matter be adjusted accordingly.

Dated this 8th day of December, 2011

By: /s/ James R. Troupis

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